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PATENT  
Attorney Docket No.: 021706-000800US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On 7/21/03

TOWNSEND and TOWNSEND and CREW LLP

By: Judith C. C.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Tony Wai-Chiu So et al.

Application No.: 09/673,872

Filed: December 4, 2000

For: PHARMACEUTICAL  
COMPOSITION

Examiner: Sharmila S. Gollamudi

Art Unit: 1616

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

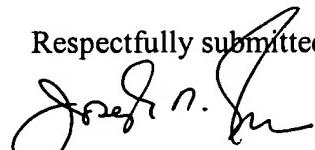
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/124,197, filed April 16, 2002 (Attorney Docket No. 021706-000810US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Joseph R. Snyder  
Reg. No. 39,381

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60001851 v1

Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

Page 1

of

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**Complete if Known**

Application Number	09/673,872
Filing Date	December 4, 2000
First Named Inventor	Tony Wai-Chiu So
Art Unit	1616
Examiner Name	Sharmila S. Gollamudi

Attorney Docket Number

021706-000800US

## U.S. PATENT DOCUMENTS

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-4,882,182	11-21-1989	Halls et al.	
	2	US-4,888,354	12-19-1989	Chang et al.	
	3	US-4,915,934	04-10-1990	Tomlinson	
	4	US-4,981,678	01-01-1991	Tomlinson	
	5	US-5,516,504	05-14-1996	Tomlinson	
	6	US-5,783,202	07-21-1998	Tomlinson et al.	
	7	US-5,788,155	08-04-1998	Martin et al.	
	8	US-5,935,554	08-10-1999	Tomlinson	
	9	US-6,211,250 B1	04-03-2001	Tomlinson et al.	
	10	US-6,231,875	05-15-2001	Sun et al.	
	11	US-6,255,313	07-03-2001	Suzuki et al.	
	12	US-6,267,949 B1	07-31-2001	Halls	
	13	US-6,284,234	09-04-2001	Niemiec et al.	
	14	US-6,383,471	05-07-2002	Chen et al.	
	15	US-6,419,913	07-16-2002	Niemiec et al.	
	16	US-5,578,599	11-26-1996	Diani et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>				
	17	EP	0 160051	B1	01-1992	Lockley Services, Pty. Ltd.	<input type="checkbox"/>
	18	EP	0 331489	A2	09-1989	Parke Davis Pty., Ltd.	<input type="checkbox"/>
	19	EP	1 070752	A2	01-2001	Soltec Research Pty. Ltd.	<input type="checkbox"/>
	20	JP	2-502822	JP	06-1990		<input type="checkbox"/>
	21	JP	9-98447	JP	10-1998	Shiseido Co. Ltd.	<input type="checkbox"/>
	22	JP	10-121876	English	11-1999	Shiseido Co. Ltd.	<input type="checkbox"/>
	23	JP	10-158782	English	12-1999	Taisho Pharmaceutical Co.,Ltd.	<input type="checkbox"/>
	24	WO	85/01876		09-1985	Lockley Services Pty. Ltd.	<input type="checkbox"/>
	25	WO	86/00196		01-1986	Soltec Research Pty. Ltd.	<input type="checkbox"/>
	26	WO	88/04896		07-1998	Soltec Research Pty. Ltd.	<input type="checkbox"/>
	27	WO	92/04419		03-1992	Soltec Research Pty. Ltd.	<input type="checkbox"/>
	28	WO	94/16732		08-1994	Soltec Research Pty. Ltd.	<input type="checkbox"/>

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
				Application Number	09/673,872
				Filing Date	December 4, 2000
				First Named Inventor	Tony Wai-Chiu So
				Art Unit	1616
				Examiner Name	Sharmila S. Gollamudi
Sheet	Page 2	of	2	Attorney Docket Number	021706-000800US

<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
	29	WO	96/27376		09-1996 Medeva PLC	<input type="checkbox"/>
	30	WO	98/00179		01-1998 S.C. Johnson & Son Inc.	<input type="checkbox"/>
	31	WO	98/23291		06-1998 Soltec Research Pty. Ltd.	<input type="checkbox"/>
	32	WO	98/52525		11-1998 Soltec Research Pty. Ltd.	<input type="checkbox"/>
	33	WO	99/20250		04-1999 Soltec Research Pty. Ltd.	<input type="checkbox"/>
	34	WO	99/53923		10-1999 Soltec Research Pty. Ltd.	<input type="checkbox"/>
	35	WO	00/15193		03-2000 Soltec Research Pty. Ltd.	<input type="checkbox"/>
	36	WO	00/66172		11-2000 Soltec Research Pty. Ltd.	<input type="checkbox"/>
	37	WO	01/76541		10-2001 Imamura et al. JP (English abstract)	<input type="checkbox"/>
	38	WO	01/76605		10-2001 Imamura et al. JP (English abstract)	<input type="checkbox"/>
	39	JP	9-188629		Abstract only	<input type="checkbox"/>
	40	JP	10-265343		Abstract only	<input type="checkbox"/>
	41	JP	9-5045387	B2	Abstract only	<input type="checkbox"/>
	42	JP	2810041	B2	Abstract only	<input type="checkbox"/>
	43	JP	2810040	B2	Abstract only	<input type="checkbox"/>
	44	WO	8807362		Abstract only	<input type="checkbox"/>

<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	45	R. WOODFORD and B.W. BARRY, Bioavailability and Activity of Topical Corticosteroids from a Novel Drug Delivery System, the Aerosol Quick-Break Foam, Received from School of Pharmacy and Pharmacal Sciences, Purdue University, Vol. 66, No. 1, January 1977			
	46	ALBERT ZORKO ABRAM and RODERICK PETER JOHN TOMLINSON, Mousses, Chapter 19, pp. 221-232, Soltec Research Pty Ltd., Rowville, Victoria, Australia, June 2001			

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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of

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Application Number	09/673,872
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Examiner Name	Sharmila S. Gollamudi
Attorney Docket Number	021706-000800US

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		Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Examiner	Cite No. <sup>1</sup>	Number Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		

<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	47	JP	64-68308	A	03/14/1989	Shiseido Co., Ltd. (with Full English Translation)		<input checked="" type="checkbox"/>
	48	JP	64-68309	A	03/14/1989	Shiseido Co., Ltd. (with Full English Translation)		<input checked="" type="checkbox"/>
	49	JP	64-68310	A	03/14/1989	Shiseido Co., Ltd. (with Full English Translation)		<input checked="" type="checkbox"/>
	50	JP	9-188620	A	07/22/1997	Taisho Pharmaceutical Co., Ltd. (with English Translation Abstract)		<input checked="" type="checkbox"/>
								<input type="checkbox"/>

<b>NON PATENT LITERATURE DOCUMENTS</b>							
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					T <sup>2</sup>
	51	Ozawa and Nakajima, 1981, ["The need for low irritant hypoallergenic cosmetics, and problems for research and development,"] <i>Fragrance Journal</i> 48:43-46 (Japanese language, with full English translation)					<input checked="" type="checkbox"/>

Examiner Signature		Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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